RESOLUTION R-19-071

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING A MANATEE COUNTY CONFEDERATE MEMORIAL ADVISORY COMMITTEE; PROVIDING FOR THE PURPOSE AND DUTIES OF THE COMMITTEE; PROVIDING FOR ORGANIZATIONAL AUTHORITY AND MEMBERSHIP; PROVIDING FOR MEMBERSHIP TERMS AND ELIGIBILITY AND SUNSETTING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Confederate memorial obelisk was dedicated to Manatee County on June 22, 1924 by the Judah P. Benjamin Chapter of the United Daughters of the Confederacy; and

WHEREAS, the Confederate memorial obelisk was located on the northwest corner of the Manatee County Historic Courthouse grounds and was relocated in 2014 to the west side of the courthouse; and

WHEREAS, on August 21, 2017 protests occurred outside the Manatee County Historic Courthouse with members of the public calling for removal of the memorial; and

WHEREAS, on August 22, 2017, the Manatee County Board of County Commissioners ("Board") voted to remove the Confederate memorial obelisk due to public safety concerns and to place it in temporary storage while the County seeks a new, respectful location for the memorial; and

WHEREAS, the Board believes it is important to have an expansive and transparent public process regarding the permanent location of the Confederate memorial as well as to gain a greater understanding of the history of the period represented by the memorial; and

WHEREAS, on May 7, 2019, the Board voted unanimously to support the establishment of a citizen advisory committee for the purpose of establishing a permanent location for the memorial; and

WHEREAS, the Board believes the establishment of a citizen advisory committee will ensure community involvement during the decision-making process; and

WHEREAS, the Board has determined that it is in the best interest of the County to establish a “Confederate Memorial Advisory Committee” to provide advice and insight as to which location or locations would be best suited for the Confederate memorial obelisk.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, as follows:
Section 1. **Creation of the Committee.**

There is hereby established a voluntary advisory committee, to be known as the Manatee County Confederate Memorial Advisory Committee ("Advisory Committee"). This Advisory Committee shall be consistent with and comply with Section 101.001 of the Board’s Administrative Procedures Manual. Appointment of members of the Advisory Committee shall be in the manner set forth herein, and members shall be appointed by the Board pursuant to this Resolution. The Advisory Committee is advisory only, and may be abolished or disbanded at any time or reorganized at any time, by the Board.

Section 2. **Purpose and Duties.**

The Confederate Memorial Advisory Committee shall:

A. Engage and encourage community participation through receiving public input regarding the location of the Confederate memorial.

B. Submit to the Board three (3) locations for the placement of the Confederate memorial obelisk by no later than December 31, 2019. Public opinion, historical research, perspectives of committee members, land use restrictions, site regulations, feasibility, and cost considerations shall all be considered when selecting the future location of the Confederate memorial obelisk.

C. Expand the historical conversation by conducting research and speaking to local historians and engaging historical committees across Manatee County. It is envisioned that such research shall be memorialized through interpretive signage to be placed in the vicinity of the memorial. The signage shall share a brief story from history symbolizing the different perspectives that gave rise to the Confederate memorial.

D. The Advisory Committee shall not have the authority to “self-assign” projects, issues or initiatives not referred to it by the Board, nor to take any policy position in the name of the County. The Advisory Committee shall present its work product to the Board through presentation to the Board in a live setting.

E. To the extent such resources are available to it, the Advisory Committee may be assisted in these duties by County staff, consultants and other sources.

F. The County Administrator shall assign one or more County employees with suitable knowledge and background to serve as the County's staff liaison to the Advisory Committee. The County Attorney shall ensure the Advisory Committee is provided with necessary legal advice.

Section 3. **Organizational Authority.**

A. The Advisory Committee shall conduct its first meeting in August 2019. At this first meeting, it shall elect from its membership a Chair and Vice Chair. It shall also designate a Secretary, who shall be charged with creating the minutes of each
meeting. Officers shall serve in their positions throughout the term of the Advisory Committee or until their replacements are voted into office or their membership on the Advisory Committee ends for whatever reason. Vacancies in any office shall be filled by the Advisory Committee.

B. The Advisory Committee shall meet at such additional times and places as it determines necessary to conduct its duties. In scheduling meetings, the Chair of the Advisory Committee shall coordinate dates, times and locations with the County’s liaison. Meetings may be rescheduled or a special meeting called by the Advisory Committee at any time. The County’s liaison shall be charged with ensuring that the proper notices of meetings under Florida’s Sunshine laws are posted, that meeting locations are accessible to the public, and that the copies of the minutes taken by the Secretary are kept and maintained by the County. A meeting may be cancelled only by the Chair, either due to an expected lack of quorum or for other good cause. The County staff liaison shall be charged with informing the Advisory Committee of all scheduling and cancellation notices.

C. Advisory Committee members are required, prior to embarking upon their duties, to be trained in Florida’s Sunshine, Ethics and Public Records laws by the County Attorney's Office and members shall be personally responsible to ensure they understand and fully comply with those laws, including the need to publicly announce meetings and to refrain from discussing the Advisory Committee business with other committee members, verbally or via electronic means, outside of publicly noticed meetings.

D. The Advisory Committee may establish subcommittees as it determines to be necessary to allow for more focused or specialized research and discussion on discrete issues. The work product of the subcommittee must be adopted by the full Advisory Committee prior to being presented to the Board. The officers of each subcommittee shall be appointed by the Advisory Committee Chair and serve at his or her pleasure. Any subcommittee must ensure compliance with the Sunshine law in the same manner as the full Advisory Committee.

E. The Advisory Committee (and any subcommittees thereof) shall use the Procedures Manual of the Board (as established by Resolution R-16-068) where portions thereof are relevant. Otherwise, it shall utilize the most current version of Robert’s Rules of Order.

F. A quorum of the Advisory Committee shall be 50 percent of the membership plus one member. The Advisory Committee may not conduct business other than to adjourn, absent a quorum. While physical attendance is preferred, Advisory Committee members are permitted to appear electronically so long as Sunshine law requirements are followed, and such appearance shall count toward being “present” for a quorum.
Section 4. **Membership.**

A. The Advisory Committee shall be made up of nine (9) members. A diversity of perspectives is an important aspect of the Advisory Committee’s function and the selection of members shall strive for a balance of age, gender, race and profession. Citizens with training or experience in real estate, land use, urban planning, history/historic preservation and related backgrounds would be beneficial. At a minimum, the members shall include four (4) members of African-American heritage.

B. Each member shall be a Manatee County resident with knowledge and experience in the Committee’s objectives. No member shall be currently employed by, a contractor for, an owner of, or a voting member on the Board of Directors of any agency or company receiving Manatee County Government funding. No member may be a current employee or officer of Manatee County Government.

C. Each citizen desiring to serve on the Advisory Committee shall fill out the standard County application forms, no later than the announced deadline.

Section 5. **Terms and Eligibility.**

A. All members shall be appointed by the Board no later than August 6, 2019.

B. The term for each member of the Advisory Committee shall become effective on August 6, 2019 and expire on December 31, 2019.

C. If a position becomes open, the Board may fill the vacancy for the remainder of that term or leave the position open as it desires.

D. A member missing three (3) consecutive meetings, without being excused for cause by the Chair, shall be deemed to have resigned his or her position, and the seat shall be deemed open.

E. Advisory Committee members serve at the will and pleasure of the Board and the Board retains the right to remove members of the Advisory Committee for any reason including, but not limited to, Advisory Committee members becoming ineligible to serve due to receiving County funds or ethics related concerns.

Section 6. **Sunset of Advisory Committee.**

Unless earlier abolished by the Board, the Advisory Committee shall sunset and cease to exist at 11:59 p.m. on December 31, 2019, unless the Board, prior to that date, votes to provide an extension of its existence.

Section 7. **Effective Date.**

This Resolution shall become effective immediately upon adoption.
DULY ADOPTED with a quorum present and voting this 18th day of June 2019.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: ________________________________
    Chairperson

ATTEST: ANGELINA COLONNESO
        CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: ________________________________